IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.7392 OF 2005

Kishor Sitaram Sajjanshetty,
minor through father and natural
guardian Sitaram Sajjanshetty. ...Petitioner.

Vs.

State of Maharashtra & Ors. ...Respondents.

....

Mr. R. K. Mendadkar with Ms. Helen K. Mandlik for the Petitioner.
Mr. C.R. Sonawane, AGP for the Respondents.

.....

**CORAM : KSHITIJ R. VYAS, C.J. &**
**DR.D.Y.CHANDRACHUD, J.**

**March 20, 2006**.

**P.C. (Per Dr. D.Y. Chandrachud, J.) :**

The Committee for verification of caste claims has rejected, by its order dated 16th September 2005, the claim of the Petitioner to belong to the Teli Community which was notified as a part of the Other Backward Classes in the State of Maharashtra by a Government Resolution dated 13th October 1967.

2. The order of the Scrutiny Committee shows that the Petitioner's father was born in the State of Karnataka. The Petitioner's father received his education until the 10th Standard in the Government High School, Bhalaki in the District of Bidar in the State of Karnataka. The Petitioner's father furnished an extract of

his birth certificate from the Competent Authority in the State of Karnataka. The Petitioner was also born in the State of Karnataka on 24th October 1987. The affidavit sworn by the Petitioner's father on 16th June 2003 before the Executive Magistrate, Kalyan, states that the deponent had migrated to the State of Maharashtra, for the first time in 1980. Hence, the finding recorded by the Scrutiny Committee that the Petitioner is a migrant to the State of Maharashtra and that he is disentitled to the status of belonging to the Other Backward Classes category, cannot be faulted. The record shows that the Petitioner's father migrated to Maharashtra in 1980, much after the notification of the Teli Community as an OBC in 1967. In this view of the matter, the order of the Scrutiny Committee does not suffer from any error apparent and is in fact, borne out by the admitted material on record. No case for the exercise of our extraordinary jurisdiction under Article 226 is made out. The petition stands dismissed.

CHIEF JUSTICE

Dr.D. Y. Chandrachud, J.